

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MARIE DEMARTINI, individually and on behalf of all others similarly situated, Plaintiff, v. SAFELITE FULFILLMENT, INC. Defendant.	Case No. 20-cv-05952-MMC ORDER GRANTING PLAINTIFF'S MOTION TO CONSOLIDATE ACTIONS; VACATING HEARING
WILLIE AUSTIN, JR., an individual, on behalf of himself and on behalf of all persons similarly situated, Plaintiff, v. SAFELITE FULFILLMENT, INC., Defendant.	Case No. 21-cv-00191-MMC ORDER DENYING DEFENDANT'S MOTION TO STAY; VACATING HEARING

Before the Court are two motions: (1) plaintiff Marie DeMartini's ("DeMartini") Motion to Consolidate, filed May 7, 2021, in DeMartini v. Safelite Fulfillment, Inc., Case No. 20-cv-5952 ("DeMartini Action"), whereby DeMartini seeks an order consolidating the DeMartini Action with Austin v. Safelite Fulfillment, Inc., Case No. 21-cv-00191 ("Austin Action"); and (2) defendant Safelite Fulfillment, Inc.'s ("Safelite") Motion to Stay, filed May 21, 2021, in the Austin Action, whereby Safelite seeks, in lieu of consolidation, an order staying the Austin Action and proceeding solely on the DeMartini Action. The motions have been fully briefed.

Having read and considered the papers filed in support of and in opposition to the motions, the Court deems the matters appropriate for decision on the parties' respective

1 written submission, VACATES the hearing scheduled for June 25, 2021, and, for the
2 reasons stated by plaintiffs, finds consolidation of the DeMartini and Austin Actions
3 preferable to a stay of the Austin Action.


4 Accordingly:

5 1. DeMartini's Motion to Consolidate is hereby GRANTED, conditioned on
6 plaintiffs' filing in the DeMartini Action and no later than July 2, 2021, a Consolidated
7 Complaint in which plaintiffs set forth all claims alleged on behalf of both plaintiffs.

8 2. Safelite's Motion to Stay is hereby DENIED.

9 **IT IS SO ORDERED.**

10
11 Dated: June 22, 2021


MAXINE M. CHESNEY
United States District Judge